



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
MAUREEN CATHERINE O'DWYER, R.N.	:	
License # 26NR10339800	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Maureen Catherine O'Dwyer ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 6, 2013, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing

education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 - May 31, 2013. Respondent answered "yes" and certified that answer by submitting the online application.

3. On or about April 25, 2014, the Board sent a letter of inquiry to Respondent's mailing address in Old Bridge, New Jersey, via regular and certified mail, requesting certain documents, including proof of having completed the required continuing education.

4. Respondent provided a response to the letter of inquiry, however, she never addressed or answered the question of whether she had completed required continuing education and failed to attach any documentation of completion.

5. On or about May 7, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 - May 31, 2015. Respondent answered "yes." Respondent was also asked whether she completed the required one hour course on Organ and Tissue Donation. Respondent answered "no." Respondent certified the answers by submitting the online application.

### CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(j), by February 7, 2014, nurses were required to complete a one hour continuing education course that covers organ and tissue donation and recovery. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 - May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 15, 2015, provisionally suspending respondent's nursing license and imposing a reprimand and a \$250 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, and provided documentation of completion of 66.50 hours of required nursing continuing education, all of which was completed in July of 2015, including documentation of a course in organ and tissue donation. Thus respondent has belatedly complied with continuing education requirements for the 2011-2013 and 2013-2015 licensing cycles. Respondent maintains that she timely completed continuing education requirements, but is unable to locate the appropriate documentation, possibly due to upsets caused by the

death of three family members. The Board accepts the documentation submitted, and has determined that suspension is no longer applicable. However, the Board has determined that the finding of violations of N.J.A.C. 13:37-5.3, and N.J.S.A. 45:1-21(b), are warranted.

ACCORDINGLY, IT IS on this 19<sup>th</sup> day of November, 2015,

ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with

N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Only 6.5 contact hours of the continuing education completed in July of 2015 are eligible to be applied towards satisfaction of respondent's continuing education obligation for the 2015-2017 licensing cycle.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN  
Patricia Murphy, PhD, APN  
Board President